SENATE BILL No. 366

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DIGEST OF INTRODUCED BILL

Citations Affected: IC 20-32-9.

Synopsis: Standards for tutoring services. Establishes minimum requirements for providers of tutoring services to students under the federal No Child Left Behind Act.

Effective: July 1, 2008.

Skinner

January 14, 2008, read first time and referred to Committee on Education and Career Development.

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Second Regular Session 115th General Assembly (2008)

SENATE BILL No. 366

A BILL FOR AN ACT to amend the Indiana Code concerning education.

Be it enacted by the General Assembly of the State of Indiana:

1   SECTION 1. IC 20-32-9 IS ADDED TO THE INDIANA CODE AS
2   A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3   1, 2008]:
4   **Chapter 9. Standards for Tutoring Services**
5   **Sec. 1. As used in this chapter, "provider" refers to a for-profit**
6   **or nonprofit entity that:**
7   **(1) provides; or**
8   **(2) seeks to provide;**
9   **tutoring as a supplemental educational service under 20 U.S.C.**
10   **6316(e).**
11   **Sec. 2. (a) To qualify for approval to provide tutoring services**
12   **under this chapter, a provider must demonstrate that the provider**
13   **meets the following requirements:**
14   **(1) That:**
15   **(A) the provider's program aligns with state and local**
16   **standards;**
17   **(B) the provider will communicate and coordinate with**

1	students' teachers; and
2	(C) the provider's tutoring content will link with students'
3	academic programs.
4	(2) That each tutor within the provider's program meets the
5	minimum standards for a paraprofessional under 20 U.S.C.
6	6301 et seq.
7	(3) That each tutor within the provider's program who
8	teaches at least six (6) students during a single session has
9	experience in managing a classroom of elementary or
10	secondary school students.
11	(4) That the provider's program has improved student
12	achievement for students previously served by the provider,
13	if any, as shown in evidence submitted by the provider
14	indicating that the students achieved significant
15	improvements, when compared to an appropriate comparison
16	group, on the ISTEP program tests.
17	(b) The department shall revoke a provider's contract for the
18	provision of tutoring under this chapter if the provider fails in
19	practice to meet the requirements under subsection (a).
20	Sec. 3. (a) A provider:
21	(1) shall provide tutoring services to students in person; and
22	(2) except as provided in subsection (b), may not be paid for
23	providing electronic tutoring services on the Internet, on an
24	intranet or other electronic network, or by educational
25	software.
26	(b) A provider may offer electronic tutoring as an additional
27	resource for students.
28	Sec. 4. The state board shall adopt rules under IC 4-22-2 to
29	carry out this chapter. Rules adopted under this section must
30	provide for the following:
31	(1) The establishment of a complaint process concerning
32	providers.
33	(2) The investigation of allegations made in complaints and a
34	determination after each investigation as to whether further
35	action is required.
36	(3) Onsite visits to providers by the department to ensure
37	compliance with this chapter or to investigate complaints,
38	including the examination of a provider's records.